

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rule making related to jailer training and providing an opportunity for public comment

The Law Enforcement Academy hereby proposes to amend Chapter 1, “Organization and Administration,” and Chapter 2, “Minimum Standards for Iowa Law Enforcement Officers”; to rescind Chapter 4, “Instructor Certification Criteria for Approved Regional Law Enforcement Training Facilities,” and adopt a new Chapter 4, “Instructor Certification Criteria for the Training of Peace Officers, Reserve Officers, Jailers and Public Safety Telecommunicators”; to amend Chapter 7, “Public Records and Fair Information Practices”; to rescind Chapter 9, “Jailer Training,” and adopt a new Chapter 9 with the same title; to rescind Chapter 10, “Reserve Peace Officers,” and adopt a new Chapter 10 with the same title; and to amend Chapter 11, “Salvage Vehicle Theft Examinations,” and Chapter 13, “Public Safety Telecommunicator Training Standards,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 80B.11, 80B.11A, 80B.11C, 80D.3, 80D.4 and 321.52.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 80B and 80D and 2021 Iowa Acts, Senate File 230.

Purpose and Summary

The Iowa Law Enforcement Academy, in consultation with the Iowa Department of Corrections, the Iowa State Sheriffs and Deputies Association and the Iowa Peace Officers Association, has updated the requirements and standards for jailer training. The proposed amendments include formalizing topics for jailer instruction, providing guidance for online vendors, and changing how the Academy certifies instructors for the training of jailers, peace officers and public safety communicators. Additionally, the Academy is proposing amendments to the Peace Officer Reserve Program to provide more guidance to agencies as the Academy introduces its online reserve training program. The proposed amendments to Chapter 11 are a response to the change in the definition of “wrecked or salvage vehicle” made by 2021 Iowa Acts, Senate File 230.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Academy Council for a waiver of the discretionary provisions, if any, pursuant to 501—Chapter 16.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Academy no later than 4:30 p.m. on October 26, 2021. Comments should be directed to:

Russell Rigdon
Iowa Law Enforcement Academy
Building 4640
P.O. Box 130
Johnston, Iowa 50131
Email: russell.rigdon@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule **501—1.1(80B)**, definition of “General jailer instructors,” as follows:

“General jailer instructors” will be those instructing in subjects clearly related to the operation of a jail means peace officers, jailers, jail administrators or public safety telecommunications instructing in subjects relevant to their profession.

ITEM 2. Rescind the definitions of “Guest lecturer,” “Professional jailer instructors” and “Recognized expert” in rule **501—1.1(80B)**.

ITEM 3. Adopt the following **new** definition of “Subject matter expert” in rule **501—1.1(80B)**:

“Subject matter expert” means those instructors responsible for a subject requiring a specialized academic degree, certification, licensure or experience.

ITEM 4. Amend subrule 2.1(9) as follows:

2.1(9) Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20. ~~Has, and~~ has color vision consistent with the occupational demands of law enforcement.

a. Passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

(1) Pseudoisochromatic plates tests such as but not limited to: Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HRR Plates, American Optical.

(2) Panel tests such as:

Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision.

b. Color corrective lenses may not be used by an applicant during the testing process pursuant to the American College of Occupational and Environmental Medicine (ACOEM) Guidance for the Medical Evaluation of Law Enforcement Officers.

c. Individuals with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, are not eligible to be hired as law enforcement officers in the state of Iowa.

ITEM 5. Amend rule 501—2.2(80B), introductory paragraph, as follows:

501—2.2(80B) Mandatory psychological testing and administrative procedures. In no case shall any person be selected or appointed as a law enforcement officer unless that person has performed satisfactorily in preemployment cognitive or personality psychological tests, or both, prescribed by the Iowa law enforcement academy.

ITEM 6. Amend subrule 2.2(2) as follows:

2.2(2) Required ~~personality~~ psychological test.

a. The Minnesota Multiphasic Personality Inventory 2 (MMPI-2), Minnesota Multiphasic Personality Inventory 2-Restructured Form (MMPI-2-RF) or Minnesota Multiphasic Personality Inventory 3 (MMPI-3) test shall be taken by all applicants in the final selection process for a law enforcement position.

b. The prescribed personality psychological test for an applicant in the final selection process shall be administered, scored and interpreted by the academy or by an individual who has been approved by the academy. The prescribed personality psychological test for an applicant in the final selection process shall be evaluated by the Iowa law enforcement academy. These tests shall be evaluated and test results and evaluations shall be forwarded to a law enforcement agency for selection purposes only by the Iowa law enforcement academy upon proper waiver by the applicant.

ITEM 7. Amend paragraph **2.2(3)“c”** as follows:

c. The administration of the ~~Stanard & Associates’ National Police Officer Selection Test (POST)~~ POST test and the ~~Minnesota Multiphasic Personality Inventory 2 (MMPI-2)~~ MMPI-2, MMPI-2-RF or MMPI-3 shall be in accordance with directions of the Iowa law enforcement academy.

ITEM 8. Amend subrule 2.2(5) as follows:

2.2(5) ~~Personality~~ Psychological tests.

a. Those law enforcement agencies which choose to administer, score, or interpret the MMPI-2, MMPI-2-RF or MMPI-3 without using the academy’s testing services shall forward to the academy psychological testing information on any individual hired within 14 days of the date hired. Such information shall include, but not be limited to, all scores from MMPI-2, MMPI-2-RF or MMPI-3 scales used in the evaluation; the MMPI-2, MMPI-2-RF or MMPI-3 answer sheet; and any resulting reports.

b. The ~~Minnesota Multiphasic Personality Inventory 2 (MMPI-2)~~ MMPI-2, MMPI-2-RF or MMPI-3 test may be administered to applicants who are not in the final selection process.

ITEM 9. Amend paragraph **2.2(7)“b”** as follows:

b. Forwarding of ~~Minnesota Multiphasic Personality Inventory 2 (MMPI-2)~~ MMPI-2, MMPI-2-RF or MMPI-3 test results. The evaluation by the Iowa law enforcement academy of ~~Minnesota Multiphasic Personality Inventory 2~~ MMPI-2, MMPI-2-RF or MMPI-3 tests will be available to any prospective employing agency upon request and proper waiver by the applicant for a minimal handling fee.

ITEM 10. Amend paragraph **2.2(8)“a”** as follows:

a. The Iowa law enforcement academy evaluations of the ~~Minnesota Multiphasic Personality Inventory 2~~ MMPI-2, MMPI-2-RF or MMPI-3 may only be used for 12 months to comply with these testing rules. Any applicant who has not been hired or placed upon a civil service certified list within 12 months of taking the ~~Minnesota Multiphasic Personality Inventory 2~~ MMPI-2, MMPI-2-RF or MMPI-3 test must retake the examination and, before the applicant is hired, the results of the examination must be considered by the hiring authority.

ITEM 11. Rescind 501—Chapter 4 and adopt the following new chapter in lieu thereof:

CHAPTER 4

INSTRUCTOR CERTIFICATION CRITERIA FOR THE TRAINING OF PEACE OFFICERS, RESERVE OFFICERS, JAILERS AND PUBLIC SAFETY TELECOMMUNICATORS

501—4.1(80B,80D) Instructors for the training of peace officers, reserve officers, jailers and public safety telecommunicators.

4.1(1) *Instructor designation.* All instructors will be designated as either general or a subject matter expert (SME). General instructors will be peace officers, jailers, jail administrators or public safety telecommunicators instructing in subjects relevant to their profession. Subject matter expert instructors will be those instructing subjects in the areas requiring a specialized academic degree, certification, licensure or experience. Final decision as to whether an instructor is in the general or SME area rests with the academy council or the academy director.

4.1(2) *Certification of instructors.* All certification of instructors will be the responsibility of the academy council.

4.1(3) *Request for instructional certification.*

a. All instructors requesting certification must submit this request to the academy council on an application which can be obtained from the Iowa law enforcement academy. Minimum qualifications for the certification of instructors (general and subject matter expert) apply to all applicants.

b. All applications for instructors must be submitted to the academy 20 days prior to a regularly scheduled academy council meeting. Any applications not received 20 days prior to a regularly scheduled meeting may not be considered and may be added to the agenda of the next subsequent meeting.

4.1(4) *Instructor qualifications.* Instructors will be certified on the basis of minimum qualifications in the areas of education, training, experience and background. The actual evaluation and selection of instructors will remain the responsibility of the administrator who is ultimately responsible for the instruction provided.

4.1(5) *Granting or revocation of instructor certification.*

a. All instructor certification will be issued for a period of three years. At the end of a three-year period, certification may be renewed if the instructor has successfully completed renewal training requirements, has instructed in a certified training program during the three-year period, remains in good standing, and is recommended by the administrator under whose supervision the individual has instructed.

b. The certification may be revoked in writing at the discretion of the academy council or the academy director. In the event of denial of recertification or revocation of certification, the certificate holder may file a written notice of appeal to the academy council within 30 days of notification of the action. The appeal notice should be addressed to Director, Iowa Law Enforcement Academy, P.O. Box 130, Johnston, Iowa 50131. A hearing on this matter will be held by the academy council within 60 days of the receipt of the appeal notice.

c. Good standing determination is in the sole discretion of the academy council or academy director. A person who has been dismissed for good cause from previous employment; who leaves, who voluntarily quits, or whose position is eliminated when disciplinary action was imminent or pending that could have resulted in removal for good cause as defined in rule 501—1.1(80B); or who is currently involved in the decertification process shall not be considered in good standing.

4.1(6) *Responsibility for ensuring instructional excellence.* It is the continuing responsibility of the administrator to ensure that the instructors are assigned only topics that they are qualified to teach and are supervised on a regular basis to ensure that instructional excellence is maintained.

4.1(7) *Endorsement of application for instructor certification.* Applications for instructor (general or subject matter expert) certification will be endorsed by the administrator and, where applicable, by the applicant's department head.

501—4.2(80B,80D) Minimum qualifications for certification of instructor (general).

4.2(1) *Experience and training.* The following are minimum experience and training requirements that an instructor (general) must meet in order to become certified:

a. A minimum of three years' certified experience (peace officer, jailer or public safety telecommunicator) with a majority portion of this experience in the subject area to be instructed; and

b. Successful completion of an instructor training course consisting of a minimum of 16 hours of instruction or have provided a minimum of 60 hours of instruction within the past three years and be able to verify the same upon request.

4.2(2) *Specific requirements to instruct specialized areas.* Special training or valid certification is required to instruct certain subject areas, including but not limited to those listed below:

a. *Arson and bombing instructor.* Must have attended a specialty school in police/military explosives handling and a recognized arson school.

b. *Collision investigation instructor.* Must have successfully completed a two-week collision investigation school at the Iowa law enforcement academy or other training recognized by the Iowa law enforcement academy.

c. *Defensive tactics instructor.* Must have successfully completed a defensive tactics instructor school at the Iowa law enforcement academy or other training recognized by the Iowa law enforcement academy.

d. *Fingerprint instructor.* Must have successfully completed the basic and advanced Federal Bureau of Investigation fingerprint schools or a program approved by the Iowa law enforcement academy.

e. *Firearms instructor.* Must have successfully completed a firearms instructor school at the Iowa law enforcement academy or other training recognized by the Iowa law enforcement academy.

f. *Iowa law enforcement emergency care provider instructor.* Must be certified as an ILEECBP by the Iowa law enforcement academy or maintain current emergency medical care provider, or higher level of medical certification.

g. *Less lethal and chemical munitions instructor.* Must have attended a school recognized by the Iowa law enforcement academy in less lethal and chemical munitions.

h. *OWI/implied consent and standardized field sobriety test (SFST) instructor.* Must have successfully completed a standardized field sobriety test instructor school at the Iowa law enforcement academy or other training recognized by the Iowa law enforcement academy.

i. *Precision driving instructor.* Must have successfully completed a precision driving instructor school at the Iowa law enforcement academy or other training recognized by the Iowa law enforcement academy.

501—4.3(80B,80D) Minimum qualifications for certification (subject matter expert).

4.3(1) *Experience, education and background.* The following are minimum experience and training requirements that an instructor (subject matter expert) must meet in order to become certified:

a. Must have a minimum of three years' experience in the subject area to be instructed; and

b. Must have at least a baccalaureate degree in the subject area or related field unless further education is required; a current license or certification in the subject area; and

c. Must be recommended by the administrator who shall consider the reputation, conduct, stability, and ability of the person being recommended.

4.3(2) Reserved.

501—4.4(80B,80D) Online vendor certification.

4.4(1) *Experience, education and background.* Online vendors applying to become certified instructors are required to meet the minimum qualifications in the area of education, training, experience and background as outlined in this chapter.

4.4(2) *Jail training.*

a. Vendors seeking certification for annual jailer in-service training will be requested to provide information detailing the extent to which their materials address Iowa-specific topics and reference the following sources:

(1) Suicide prevention/mental illness (201—subrule 50.15(6)).

(2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147).

(3) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)).

(4) Legal:

1. Grievance and disciplinary procedures (201—subrule 50.21(4)).
 2. Constitutional rights of inmates (201—Chapter 50).
 3. Introduction to Iowa criminal law as applicable to a jail setting (201—Chapter 50).
 4. Affirmative duty to intervene/intercede (Iowa Code section 80B.11G).
 5. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8).
 - (5) Cultural diversity including implicit bias (Iowa Code section 80B.11G).
 - (6) Communication skills including de-escalation (Iowa Code section 80B.11G).
 - (7) Medical screening at intake (201—subrule 50.15(6)).
 - (8) Medication management (201—subrule 50.15(2)).
 - (9) Jail standards (201—Chapter 50).
 - b. The jail administrator will verify that the vendors being used for training meet the requirements outlined in subrule 4.4(1) and paragraph 4.4(2) “a.”
- 4.4(3) *Peace officer training.*** Vendors seeking certification for annual peace officer in-service training will be requested to provide information detailing the extent to which their materials address Iowa-specific topics and reference the following sources:
- a. Cultural diversity including implicit bias (Iowa Code section 80B.11G).
 - b. Communication skills including de-escalation (Iowa Code section 80B.11G).
 - c. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8).
- 4.4(4) *Application.*** Online vendors must make application and are subject to council approval. Certifications are valid for one year and may be renewed by the council upon reapplication. These rules are intended to implement Iowa Code sections 80B.11, 80B.11A, 80B.11C and 80D.4.

ITEM 12. Amend subrule 7.13(9) as follows:

7.13(9) *Psychological testing.* These files contain information concerning a law enforcement applicant’s test scores regarding cognitive and ~~personality~~ psychological tests mandated by Iowa Code section 80B.11(1) “g.” In these files other psychological examinations requested by hiring agencies are also stored by a personal identifier. Some of this information may be confidential pursuant to Iowa Code section 22.7(19). Law enforcement officers interested in the results of their psychological testing should contact the hiring agency that authorized the testing. This information is maintained in both computerized and paper form.

ITEM 13. Rescind 501—Chapter 9 and adopt the following new chapter in lieu thereof:

CHAPTER 9 JAILER TRAINING

501—9.1(80B) Jailer training.

9.1(1) *Basic training.* All jail administrators shall meet the following requirements within six months of appointment. Jailers shall meet the following requirements within one year of employment or assignment:

- a. Successful completion of a 40-hour training program approved by the academy or the National Sheriffs’ Association correspondence course. Either course must be appropriately documented to reflect course content, length of session, and instructor(s). All instructors presenting in the 40-hour training program shall be certified by academy personnel utilizing certification standards adopted by the academy (rule 501—4.1(80B,80D)). It shall be the responsibility of the training program administrator to make certain all instructors are certified and the training program is approved.
- b. Approved 40-hour training program curriculums shall include the following topics:
 - (1) Suicide prevention/mental illness (201—paragraph 50.15(6) “c”).
 - (2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147).
 - (3) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)).
 - (4) Legal: training topics in paragraphs “1” through “5” below must include references to the Iowa Code, jail standards and relevant case law.
 1. Grievance and disciplinary procedures (201—subrule 50.21(4)).

2. Constitutional rights of inmates (201—Chapter 50).
 3. Introduction to Iowa criminal law as applicable to a jail setting (201—Chapter 50).
 4. Affirmative duty to intervene/intercede (Iowa Code section 80B.11G).
 5. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8).
 - (5) Cultural diversity including implicit bias (Iowa Code section 80B.11G).
 - (6) Communication skills including de-escalation (Iowa Code section 80B.11G).
 - (7) Methods of restraining violent inmates.
 - (8) Medical screening at intake (201—subrule 50.15(6)).
 - (9) Supervision of inmates.
 - (10) Report writing.
 - (11) DNA submissions.
 - (12) Fingerprinting.
 - (13) Medication management (201—subrule 50.15(2)).
 - (14) Security procedures/cell and area searches.
 - (15) Jail standards (201—Chapter 50).
 - (16) Juveniles in custody.
 - c. First aid and cardiopulmonary resuscitation (CPR).
 - (1) The individual shall hold a current course completion card in CPR, automated external defibrillator (AED) and foreign body airway obstruction for adults according to national standards defined by the International Liaison Committee on Resuscitation (ILCOR) and recognized by the Iowa law enforcement academy.
 - (2) The individual shall be trained in first aid according to national standards recognized by the Iowa law enforcement academy or shall hold certification as an Iowa law enforcement emergency care provider (ILEECP), emergency medical responder, licensed practical nurse, registered nurse, or medical practitioner or hold other similar certification in the state of Iowa.
 - (3) All certification or licensure required by this rule must thereafter be maintained current according to the standards of the certifying or licensing agency.
- 9.1(2) Annual jailer in-service curriculum.** During each fiscal year of employment following completion of the required basic training as set forth in subrule 9.1(1), jailers and the administrator of a jail shall complete 20 hours of in-service training, not to include proficiency in chemical agents or firearms qualification. All instructors shall be certified by academy personnel utilizing certification standards adopted by the academy.
- a. The following is a list of annually (every year) required topics:

12 hours	
(1) Suicide prevention/mental illness (201—paragraph 50.15(6) “c”)	3 hours minimum
(2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147)	1 hour minimum
(3) Emergency evacuation plan (201—subrule 50.9(3))	
(4) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2))	1 hour minimum
 - (5) Legal: training topics in paragraphs “1” through “5” must include references to the Iowa Code, jail standards and relevant case law

2 hours	
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 1. Grievance and disciplinary procedures (201—subrule 50.21(4))
 2. Constitutional rights of inmates (201—Chapter 50)
 3. Introduction to Iowa criminal law as applicable to a jail setting (201—Chapter 50)
 4. Affirmative duty to intervene/intercede (Iowa Code section 80B.11G)
 5. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8)
 - (6) Cultural diversity including implicit bias (Iowa Code section 80B.11G)

2 hours minimum	
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 - (7) Communication skills including de-escalation (Iowa Code section 80B.11G)

1 hour minimum	
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 - (8) Methods of restraining violent inmates

1 hour minimum	
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 - (9) Medical screening at intake (201—subrule 50.15(6))

1 hour minimum	
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 - b. Required biannually (every two years):

4 hours	
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 CPR/AED/airway obstruction – adult

- c. Eight hours of additional training selected by the jail administrator or sheriff.

501—9.2(80B) Holding facility personnel training.

9.2(1) Basic training. All appointed facility administrators and designees shall meet the following requirements within one year of employment or assignment:

a. Facility administrators and supervisors employed in holding facilities shall receive ten hours of training within the first year of employment. This training shall include the following required topics or comparable course content:

- (1) Suicide prevention/mental illness (201—paragraph 50.15(6) “c”).
- (2) Prison rape elimination act (PREA) (Title 42 U.S.C. 147).
- (3) Legal: training topics in paragraphs “1” through “5” must include references to the Iowa Code, jail standards and relevant case law.

1. Grievance and disciplinary procedures (201—subrule 50.21(4)).
2. Constitutional rights of inmates (201—Chapter 50).
3. Introduction to Iowa criminal law as applicable to a jail setting (201—Chapter 50).
4. Affirmative duty to intervene/intercede (Iowa Code section 80B.11G).
5. Use of force (Iowa Code sections 704.1, 704.2, 704.2A, 704.2B, 704.8).

(4) Security procedures.

b. First aid and CPR.

(1) The individual shall hold a current course completion card in CPR, AED and foreign body airway obstruction for adults according to national standards defined by the ILCOR and recognized by the Iowa law enforcement academy.

(2) The individual shall be trained in first aid according to national standards recognized by the Iowa law enforcement academy, or shall hold certification as an ILEACP, emergency medical responder, licensed practical nurse, registered nurse, or medical practitioner or hold other similar certification in the state of Iowa.

(3) All certification or licensure required by this rule must thereafter be maintained current according to the standards of the certifying or licensing agency.

9.2(2) Annual holding facility in-service curriculum.

a. Administrators and supervisors of holding facilities shall complete five hours of in-service training, not to include hours spent in maintaining required certification or proficiency in first aid, CPR/AED/airway obstruction – adult, chemical agents, or handling of firearms.

b. Required annually (every year):

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|---|----------------|
| (1) Suicide prevention (201—paragraph 50.15(6) “c”) | 1 hour minimum |
| (2) Emergency evacuation plan (201—subrule 50.9(3)) | |
| (3) Bloodborne pathogens (OSHA standard as set out in CFR Part 1910.1030(g)(2)) | 1 hour minimum |

These rules are intended to implement Iowa Code section 80B.11A.

ITEM 14. Rescind 501—Chapter 10 and adopt the following **new** chapter in lieu thereof:

CHAPTER 10
RESERVE PEACE OFFICERS

501—10.1(80D) General requirements for reserve peace officers. In no case shall any person hereafter be selected or appointed as a reserve peace officer unless the person:

10.1(1) Is a citizen of the United States and a resident of Iowa or intends to become a resident of Iowa upon appointment as a reserve peace officer, provided that the state residency requirement under this subrule shall not apply to employees of a city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state and shall not apply to an employee of a city or county that later repeals such an ordinance if the employee resides in another state at the time of the repeal. A city or county that has adopted an ordinance to allow the employees of the city or county

to reside in another state shall provide a current copy of the ordinance to the Iowa law enforcement academy.

10.1(2) Is 18 years of age at the time of selection or appointment.

10.1(3) Has a valid driver's or chauffeur's license issued by the state of Iowa. Reserve peace officers who are allowed to reside in an adjacent state shall be required to possess a valid driver's or chauffeur's license of the state of residence of the officer.

10.1(4) Is not addicted to drugs or alcohol.

10.1(5) Is of good moral character as determined by a thorough background investigation, including a fingerprint search conducted on local, state and national fingerprint files, and has not been convicted or adjudicated of any offense listed in 501—paragraph 2.1(5) "a."

10.1(6) Is not by reason of conscience or belief opposed to the use of force when necessary to fulfill the person's duties.

10.1(7) Is a high school graduate with a diploma or possesses a GED equivalency certificate.

10.1(8) Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20.

a. The applicant shall have color vision consistent with the occupational demands of law enforcement. An applicant's passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

(1) Pseudoisochromatic plates tests such as, but not limited to, Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HHR Plates, and American Optical.

(2) Panel tests such as Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision. Color corrective lenses may not be used by an applicant during the testing process per the American College of Occupational and Environmental Medicine (ACOEM) Guidance for the Medical Evaluation of Law Enforcement Officers.

b. An individual with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, is not eligible to serve as a reserve peace officer in the state of Iowa.

10.1(9) Has hearing corrected to normal hearing standards. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25dB measured at 1000Hz, 2000Hz and 3000Hz averaged together. Hearing tests conducted within 12 months before appointment or selection may be used. A person who performs policing duties alone and without the direct supervision of a certified regular law enforcement officer who is physically present with the reserve peace officer at all times must have normal hearing in each ear. Policing duties include but are not limited to responding to calls, making traffic stops, and patrolling the jurisdiction.

10.1(10) Is examined by a licensed physician or surgeon and meets the physical requirements as defined by the law enforcement agency necessary to fulfill the responsibilities of the reserve peace officer position being filled.

501—10.2(80D) Higher standards not prohibited. A person who does not meet minimum standards shall not be selected or appointed as an Iowa reserve peace officer. Agencies are not limited or restricted in establishing additional standards.

501—10.3(80D) Certification through training required for all reserve peace officers.

10.3(1) Each person appointed to serve as a reserve peace officer after July 1, 2007, shall satisfactorily complete a minimum training course established by the academy consisting of at least 80 hours of training and 40 hours of supervised time. Training for individuals appointed as reserve peace officers shall be provided by the Iowa law enforcement academy through the learning management system, through approved regional academies, or through instructors at a law enforcement agency approved by the academy. Reserve peace officers must be certified within 18 months from the date of their appointment.

a. The training modules will be available through a learning management system online. The modules are self-paced and must be completed in order. The reserve peace officer completing the training module will be given an academy-developed test covering the completed module. The reserve peace

officer completing the training module must pass the test with a score of 70 percent or better. If the first test score is below 70 percent, the reserve peace officer may take the test a second time following remediation of the failed topic(s) with an Iowa law enforcement academy instructor. Failure of the test the second time will result in the individual's not being eligible for certification for a period of one year following the date of the second test failure. At the completion of the training modules, the reserve peace officer will be given an academy-developed test covering all six modules. The reserve peace officer must pass this test with a score of 70 percent or better. If the first test score is below 70 percent, the reserve peace officer may take the test a second time following remediation of the failed topic(s) with an Iowa law enforcement academy instructor.

b. Supervised time is defined as direct supervision by a regular certified law enforcement officer of the reserve peace officer while the reserve peace officer performing activities consistent with the reserve peace officer's duties, such as ride-along time, jail time, or other assigned duties.

c. Upon satisfactory completion of training and supervised time required by the academy, the individual shall be certified by the academy as an Iowa reserve peace officer and shall be issued a certificate by the academy.

10.3(2) The academy council may, at the council's discretion, extend the 18-month time period in which a reserve peace officer must become certified for up to 180 days after a showing of undue hardship by the reserve peace officer or the reserve peace officer's appointing agency. To be considered for an extension of the 18-month certification period, the person or agency requesting the extension must initiate the request in writing not less than ten days prior to the council meeting at which the extension request is to be discussed and must also make a presentation to the council at the next regularly scheduled meeting of the council. An extension shall not be liberally granted and shall only be granted after a showing that all other alternatives to an extension have been considered and rejected.

10.3(3) The time period within which a person must achieve certification as a reserve peace officer in the state of Iowa shall commence on the day a person is first appointed as a reserve peace officer in the state of Iowa. Any subsequent changes in a reserve peace officer's appointment status, including transfers to a different appointing agency, shall not toll or otherwise extend the certification period.

10.3(4) Should a person appointed as a reserve peace officer fail to achieve certification within the time period or under any extension allowed by this rule, that person shall not be eligible for appointment as a reserve peace officer and shall not serve as a reserve peace officer in the state of Iowa for a period of not less than one year from the date the time period in which to achieve certification expired, or from the date that the person was last appointed as a reserve peace officer in the state of Iowa, whichever comes first.

501—10.4(80D) Curriculum for training modules. Six modules consisting of 12 to 16 hours of required training topics per module will be developed by the academy. The training modules will include curriculum and training materials for each topic. Curriculum and training materials will be provided by the academy to all reserve officer candidates via the online learning management system and to agencies with academy-approved instructors. Training modules will be updated no less than every three years. Approved training module curriculum shall include the following topics:

10.4(1) Module A.

- a.* Implicit bias.
- b.* Patrol techniques.
- c.* Ethics.
- d.* Use of force.
- e.* De-escalation.
- f.* Defensive tactics.

10.4(2) Module B.

- a.* Law of arrest.
- b.* Report writing.
- c.* Discretion.
- d.* Interviews and interrogations.

- e.* Role of emergency communication.
- f.* Precision driving.
- g.* Traffic direction.
- h.* Motor vehicle law.

10.4(3) Module C.

- a.* Vehicle stops.
- b.* Collision scene control.
- c.* Criminal law.
- d.* Current drug trends.
- e.* Recognizing impairment.
- f.* Community policing.

10.4(4) Module D.

- a.* Search and seizure.
- b.* Felony calls.
- c.* Introduction to crime scene.
- d.* Crisis and conflict.
- e.* Domestic abuse.
- f.* Juvenile law.

10.4(5) Module E.

- a.* Human trafficking.
- b.* Hazmat awareness.
- c.* Civil liability.
- d.* Bloodborne pathogens.
- e.* Weather preparedness.
- f.* Court organization.
- g.* Testifying in court.
- h.* Community relations.

10.4(6) Module F.

- a.* Mandatory reporting.
- b.* Practical skills testing in the areas of defensive tactics, vehicle stops, precision driving, and report writing.

501—10.5(80D) Weapons certification.

10.5(1) Reserve officers must receive council certification in the use of weapons the hiring authority expects and authorizes the reserve peace officers to carry. Weapons training is not required with any weapons the reserve officers are not authorized to carry.

10.5(2) Individuals who have been certified through training by the Iowa law enforcement academy as regular officers may be certified to carry weapons as reserve officers without repeating the required reserve officer's weapons training under the following conditions:

- a.* The academy certification through training was acquired through a school in which firearms training was required; and

- (1) The individual is serving as a regular officer for another department at the time of appointment as a reserve officer, or

- (2) The individual has served as a regular officer within the two years immediately preceding appointment as a reserve officer.

- b.* Verification must also be provided to the council that the officer has fired a qualifying score of 80 percent or higher on a firearm course using targets approved by the academy within the past 12 months. This verification must be provided by an academy-trained and -certified firearms instructor.

10.5(3) Firearms, striking instruments and chemical weapons training must be provided by an Iowa law enforcement academy-certified instructor before a reserve peace officer can be certified to carry weapons. Reserve officer weapons training requirements are the same as those required of regular law enforcement officers during their basic training.

10.5(4) Application for weapons certification.

a. Application for weapons certification must be made in writing to the council on forms provided by the academy.

b. An applicant for certification to carry weapons as a reserve peace officer must be of good moral character and not have been convicted or adjudicated of any offense listed in 501—paragraph 2.1(5) “a.”

c. Verification must be received by the council that a fingerprint check has been made with the Federal Bureau of Investigation and the division of criminal investigation of the Iowa department of public safety and that the applicant has not been convicted or adjudicated of any offense listed in 501—paragraph 2.1(5) “a.” Fingerprint check responses from these agencies must be dated not more than one year prior to the date of the receipt by the academy of the application to the council for certification.

d. Council certification will be granted only where weapons proficiency is documented. Training in support of an application to the Iowa law enforcement academy council to carry weapons as a reserve peace officer shall have been accomplished not more than one year prior to the date of the receipt by the academy of the application to the council for certification. Failure to file the application within one year of the date of training shall require the officer to undergo weapons training anew.

e. Interim certification to carry weapons may be granted by the chairperson of the council if all requirements for certification have been met by the reserve officer and certified by the appointing authority. All interim certifications to carry weapons shall then be brought before the council at the next regularly scheduled meeting in order that the council can approve or reject the reserve officer’s certification to carry weapons.

501—10.6(80D) Reserve peace officers moving from agency to agency. A reserve peace officer who has been certified by the Iowa law enforcement academy council to carry weapons and who transfers from one Iowa law enforcement agency to another as a reserve officer without more than a 180-day break in service (affiliation) will not be required to undergo weapons certification training anew, provided that a completed application to carry weapons as a reserve officer for the new agency in compliance with Iowa Code section 80D.7 is filed with the academy within 180 days of the date of transfer. If firearms certification is requested, the application must show that the officer has fired qualifying rounds under the supervision of an academy-certified firearms instructor within 30 days of the date of application. The application shall further state that all training records for the officer have been transferred to the new agency.

501—10.7(80D) Reserve peace officers in agencies under intergovernmental agreements. When jurisdictions enter into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services by those jurisdictions and sharing of reserve peace officers, the compliance of reserve peace officers with rule 501—10.1(80D) does not need to be reverified if the execution, filing and recording of the intergovernmental agreement conform to the requirements of Iowa law and a certified copy of the agreement is provided to the director of the academy. However, this exception from reverification does not apply to the establishment of a unified law enforcement district as defined in Iowa Code section 28E.21, wherein a new legal entity or political subdivision is established.

501—10.8(80D) Reserve peace officers serving more than one agency.

10.8(1) A reserve peace officer who has previously met all the requirements of rule 501—10.1(80D) and who intends to move reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including but not limited to a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.8(2) Except as otherwise specified, the provisions of rule 501—10.1(80D) do not need to be verified upon the movement of reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency or upon the reserve peace officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, if the reserve peace officer met all of the requirements of rule 501—10.1(80D) when the person was initially appointed as a reserve peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

10.8(3) A reserve peace officer who serves more than one Iowa law enforcement agency at the same time must be certified by the Iowa law enforcement academy council to carry weapons for each agency that the reserve officer serves in compliance with Iowa Code section 80D.7. It is not necessary for the officer to complete weapons training for each such agency, but all agencies shall maintain duplicate training records for the officer.

501—10.9(80D) Minimum in-service training requirements. All certified reserve peace officers shall meet the following mandatory minimum in-service training requirements:

10.9(1) Firearms training. A certified reserve peace officer who is authorized to carry firearms must qualify with all duty firearms annually on a course of fire using targets approved by the Iowa law enforcement academy and must successfully fire a minimum score as established by the Iowa law enforcement academy, using targets approved by the academy under the supervision of an academy-certified firearms instructor. This subrule applies only to those reserve peace officers who are authorized to carry firearms by the officers' appointing agency.

10.9(2) CPR certification required. Reserve peace officers shall maintain current course completion in cardiopulmonary resuscitation (CPR), automated external defibrillator (AED) and foreign body airway obstruction for all age groups according to national standards recognized by the Iowa law enforcement academy.

10.9(3) General training. In addition to the firearms training and CPR training requirements, a certified reserve peace officer must receive a minimum of 12 hours per year, or 36 hours every three years, of law enforcement-related in-service training. Whether training is law enforcement-related shall be determined by the employing agency administrator.

10.9(4) Mental health training. In addition to the requirements of subrules 10.9(1), 10.9(2) and 10.9(3), a certified reserve peace officer must receive mental health in-service training from a course of study approved by the Iowa law enforcement academy.

a. Initial in-service training. Effective September 25, 2013, each certified reserve peace officer shall complete within one year a minimum of four hours of mental health training from a course of study approved by the Iowa law enforcement academy council. Successful completion of mental health first aid or crisis intervention (Memphis Model or similar model) training after January 1, 2011, shall satisfy the initial requirement.

b. Annual in-service training. Effective September 25, 2013, each certified reserve peace officer shall complete a minimum of one hour per year, or four hours every four years, of mental health training from a course of study approved by the Iowa law enforcement academy council. This annual in-service training is separate from and in addition to any other in-service training requirements set forth in this chapter, including the initial in-service mental health training required.

10.9(5) De-escalation training. In addition to the requirements of subrules 10.9(1), 10.9(2), 10.9(3) and 10.9(4), a certified reserve peace officer must receive a minimum of four hours per year of training that includes all of the following topics:

a. An emphasis on law enforcement officer understanding and respect for diverse communities and the importance of effective, noncombative methods of carrying out law enforcement activities in a diverse community.

b. Instruction on diverse communities in order to foster mutual respect and cooperation between law enforcement and members of all diverse communities.

c. An examination of the patterns, practices, and protocols that cause biased law enforcement actions, and the tools to prevent such actions.

d. An examination and identification of key indices and perspectives that make up differences among residents in a local community.

e. Instruction on implicit bias and consideration of the negative impact of bias, whether intentional or implicit, on effective law enforcement, including examination of how historical perceptions of profiling have harmed community relations.

f. Instruction on the perspectives of diverse local constituency groups from experts on particular cultural and law enforcement-community relations issues in a local area.

g. A presentation of the history and the role of the civil rights movement and the impact on law enforcement.

h. Instruction on de-escalation techniques, including verbal and physical tactics to minimize the need for the use of force and nonlethal methods of applying force.

10.9(6) *Training and in-service requirements for regular law enforcement officers who become certified reserve peace officers.*

a. An active certified regular law enforcement officer who also serves as a reserve peace officer or a certified regular law enforcement officer who retires or leaves active regular law enforcement and returns within 180 days to an Iowa law enforcement agency as a reserve peace officer needs no further training.

b. Any individual who leaves an Iowa law enforcement officer position and becomes a certified reserve peace officer shall receive in-service training within one year of the individual's appointment date as follows:

<u>Period Outside of Iowa Law Enforcement</u>	<u>In-Service Training Required</u>
6 months to 12 months	12 hours
More than 12 months to 24 months	24 hours
More than 24 months to 36 months	36 hours
More than 36 months	60 hours

The subject matter of this training will be determined and approved by the law enforcement agency.

10.9(7) *Agency responsibility for record keeping.* It shall be the responsibility of the law enforcement agency administrator to ensure that in-service training records are regularly kept and maintained. The law enforcement administrator shall also ensure that these records are made available for inspection upon request by the Iowa law enforcement academy or its designee.

a. In-service training records shall include the following:

- (1) The subject matter of the training;
- (2) The name of the instructor conducting the training;
- (3) The name of the individual who completed the training;
- (4) The number of credit hours received from the training;
- (5) The location where the training took place; and
- (6) The scores, if any, achieved by the reserve peace officer to show proficiency in or understanding of the subject matter to include qualifying range scores.

b. It shall be the responsibility of law enforcement agency administrators to ensure that all certified reserve peace officers under their direction receive the minimum hours of in-service training required by these rules.

501—10.10(80D) Reserve peace officers appointed prior to July 1, 2007—obtaining state certification.

10.10(1) A reserve peace officer enrolled in an approved minimum course of training prior to July 1, 2007, shall obtain state certification by July 1, 2012. Current reserve peace officers choosing not to be state-certified by examination or by module training established by the academy will continue to hold agency certification only and will not be recognized as reserve peace officers after July 1, 2012.

10.10(2) If a reserve peace officer appointed prior to July 1, 2007, with agency certification only transfers to another agency, the reserve peace officer will be considered a new reserve peace officer and will be subject to the 18-month training requirements for state certification.

501—10.11(80D) Active law enforcement officer moving to reserve peace officer status.

10.11(1) An active law enforcement officer who has previously met all the requirements of rule 501—2.1(80B) and who intends to move to reserve peace officer status, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, or who intends to be a reserve peace officer for an Iowa law enforcement agency while also working as an active law enforcement officer shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including but not limited to a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.11(2) Except as otherwise specified, the provisions of rule 501—10.1(80D) do not need to be verified upon the movement of active law enforcement officer status to reserve peace officer status or upon the officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, or upon the officer's being appointed as a reserve peace officer by one Iowa law enforcement agency while serving in active law enforcement status for another agency if the peace officer met all of the requirements of rule 501—2.1(80B) when the person was initially appointed as a peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

501—10.12(80D) Time frame—tolled. The time frame requirements for completion of any mandatory training are tolled during the period a reserve peace officer is called to active military service.

These rules are intended to implement Iowa Code chapter 80D.

ITEM 15. Amend subrule 11.4(2) as follows:

11.4(2) Recertification shall require one of two training courses depending upon whether the salvage vehicle theft examiner's ~~experience~~ certification has expired.

a. ~~Salvage vehicle theft examiners who have conducted 48 or more salvage vehicle theft examinations since their certification or recertification date~~ are required to successfully complete a minimum four-hour salvage vehicle theft refresher course approved by the academy prior to the expiration of certification. The refresher course shall be completed no more than 30 days prior to the expiration of certification.

b. ~~Previously certified salvage vehicle theft examiners who have not conducted a minimum 48 or more salvage vehicle theft examinations since their certification or recertification date~~ an expired certification must retake the initial 12-hour in-person salvage vehicle theft examination course to be recertified.

c. No change.

ITEM 16. Rescind rule **501—13.5(80B)**.

ITEM 17. Renumber rule **501—13.6(80B)** as **501—13.5(80B)**.